

District Judge Jamal N. Whitehead

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AISHWARYA RAGHAVAN and
AVININDRA PARUCHURI,

Plaintiffs,

v.

UR M. JADDOU,

Defendant.

No. 2:23-cv-517-JNW

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
~~[PROPOSED]~~ ORDER

Noted for Consideration:
August 22, 2023

Plaintiffs brought this litigation pursuant to the Administrative Procedure Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate their Form I-485s, Applications to Register Permanent Residence or Adjust Status, in relation to Plaintiff Raghavan’s Form I-526, Immigrant Petition by Alien Investor. The parties are currently working diligently towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until October 6, 2023.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel,

1 and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

2 Initially, Defendant moved to dismiss the case for lack of subject matter jurisdiction. Dkt. No.
3 8. Subsequently, USCIS approved Plaintiff Raghavan’s Form I-526 on June 23, 2023. As a result,
4 Plaintiffs communicated to Defendant that they intended to amend the Complaint to challenge the
5 agency’s use of retrogression and Defendant withdrew the motion to dismiss. Dkt. No. 12. Due to
6 recent movement in the State Department’s Visa Bulletin, Plaintiffs believe that there may be a visa
7 immediately available to them as of October 1, 2023, causing a challenge to the agency’s use of
8 retrogression to be moot. Plaintiffs will be able to confirm whether a visa will be available when
9 the State Department releases its October Visa Bulletin in mid-September.

10 Accordingly, this case may be resolved without the need of further judicial intervention. As
11 additional time is necessary for this to occur, the parties request that the Court hold the case in
12 abeyance until October 6, 2023. The parties further request that the Court vacate its Order Regarding
13 Initial Disclosures, Joint Status Report, and Early Settlement. Dkt. No. 13. The parties will submit
14 a joint status report on or before October 6, 2023.

15 Dated: August 22, 2023

Respectfully submitted,

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22 *I certify that this memorandum contains 339 words,*
23 *in compliance with the Local Civil Rules.*

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~~PROPOSED~~ ORDER

The case is held in abeyance until October 6, 2023. The parties shall submit a joint status report on or before October 6, 2023. The Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement (Dkt. No. 13) is vacated. It is so **ORDERED**.

DATED this 5th day of September, 2023.



Jamal N. Whitehead
United States District Judge